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Attorneys for Defendant,
COUNTY OF ALPINE

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

MATTHEW MCSORELY

Plaintiff,

v.

COUNTY OF ALPINE, a California Public
Entity; MARGRET LONG, an individual;
and DOE 1 to 10, inclusive,

Defendants.

) CASE NO.: 2:22-cv-00367-MCE-JDP

)

) **DEFENDANT COUNTY OF**

) **ALPINE'S REQUEST FOR AN**

) **EXTENSION OF TIME TO FILE**

) **RESPONSIVE PLEADING;**

) **ORDER THEREON**

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) **[E.D. Cal. L.R. 144(c)]**

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Defendant COUNTY OF ALPINE, by and through counsel, Shanan L. Hewitt, Esq. of the Law Offices of Rivera Hewitt Paul LLP, hereby files this request pursuant to Local Rule 144(c) for an extension of time to file a responsive pleading to Plaintiff's Complaint for Damages (Doc. 1), filed on February 28, 2022. Defendant's request is based on the following declaration of Shanan L. Hewitt.

Dated: March 18, 2022

Respectfully submitted,

RIVERA HEWITT PAUL LLP

/s/ Shanan L. Hewitt

SHANAN L. HEWITT

Attorneys for Defendant

COUNTY OF ALPINE

**DECLARATION OF SHANAN L. HEWITT IN SUPPORT OF REQUEST FOR
EXTENSION OF TIME TO FILE RESPONSIVE PLEADING TO PLAINTIFF'S
COMPLAINT, ON BEHALF OF DEFENDANT COUNTY OF ALPINE**

I, SHANAN L. HEWITT, declare as follows:

- (1) I am an attorney licensed and admitted to practice before the courts in the State of California, all U.S. District Courts in California, the Ninth Circuit Court of Appeals, and the U.S. Supreme Court. I am a partner in the firm of Rivera Hewitt Paul LLP.
- (2) I have been advised that Defendant COUNTY OF ALPINE was served with this lawsuit on or about March 3, 2022, with a deadline for a responsive pleading of 21 days (see Doc. 2).
- (3) I was initially contacted on March 1, 2022 regarding this lawsuit and requested to represent Defendant COUNTY OF ALPINE. After conducting a conflict check, my law firm accepted the assignment to represent Defendant COUNTY OF ALPINE.
- (4) On March 2, 2022, I began a trial in the Sacramento County Superior Court (*Delores Smith v. County of Sacramento*, Sacramento County Superior Court Case No. 34-2017-34-2017-00224105) which only concluded March 16, 2022. Therefore, I have been unable to review the file materials, confer with my client, or evaluate Plaintiff's claims in order to properly draft a responsive pleading. In addition, I currently have multiple depositions scheduled in other matters and upcoming motions for summary judgment in other cases to file in the next several weeks.
- (5) I attempted to contact plaintiff counsel by email on March 17, 2022, to request a stipulation for extension of time, but received no response.
- (6) In light of the foregoing circumstance, I respectfully request that this Court grant an extension of time from the current deadline, **up to and including April 22, 2022**, in order to allow time to gather information and research to properly evaluate Plaintiff's causes of action and prepare file a responsive pleading.
- (7) I have personal knowledge of the matters referenced above, and if called upon, could competently testify thereto.

1 I declare under penalty of perjury under the laws of the United States and the State of California
2 that the foregoing is true and correct.

3 Executed on March 18, 2022, at Gold River, California.

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5 /s/ Shanan L. Hewitt
6 SHANAN L. HEWITT

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9 **ORDER**

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11 GOOD CAUSE having been shown, the foregoing request for an extension of time for
12 Defendant COUNTY OF ALPINE to file a responsive pleading to Plaintiff's Complaint (Doc. 1)
13 is HEREBY GRANTED. Defendant COUNTY OF ALPINE shall file and serve its responsive
14 pleading to Plaintiff's Complaint no later than April 22, 2022.

15 IT IS SO ORDERED.

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17 Dated: March 22, 2022

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20 MORRISON C. ENGLAND, JR.
21 SENIOR UNITED STATES DISTRICT JUDGE
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